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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Emad S. Alnemri
Application No. : 09/939,293
Filed : August 24, 2001
For : AN IAP BINDING PEPTIDE OR POLYPEPTIDE AND
METHODS OF USING THE SAME

Examiner : Minh Tam B. Davis
Art Unit : 1642
Docket No. : 480140.465

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF EMAD S. ALNEMRI, PH.D.UNDER 37 C.F.R. § 1.132

Dear Assistant Commissioner:

I, Emad S. Alnemri declare that:

1. I, Emad S. Alnemri, am a Professor of Microbiology and Immunology at the Center for Apoptosis Research and the Department of Microbiology and Immunology at the Kimmel Cancer Institute at Thomas Jefferson University, the Assignee of the above-identified application.

2. I have submitted this Declaration for the purpose of providing evidence to the Examiner that the reference Srinivasula *et al.*, *J. Biol. Chem.*, 275(46):36152-36157 (2000) is not the work of another.

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3. I submit that I am the only inventor of the information set forth in Srinivalusa *et al.* and claimed in the present application and that co-authors S. M. Srinivasula, P. Datta, X.-J. Fan, T. Fernandes-Alnemri, and Z. Huang were working under my direction and supervision.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the captioned patent application or any patent issued therefrom.

2/4/04
Date


Emad S. Alnemri

CDL:jto

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